

STATE OF MICHIGAN  
COURT OF APPEALS

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PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ANDRE AL-TREAVES WILLIAMS, a/k/a  
ANDRA LAMAR WILLIAMS,

Defendant-Appellant.

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UNPUBLISHED

June 17, 2003

No. 238437

Lenawee Circuit Court

LC No. 01-009222-FC

Before: Murray, P.J., and Neff and Talbot, JJ.

NEFF, J. (*concurring*).

I agree with the majority opinion in almost all respects. However, I respectfully disagree with that part of the majority analysis that concludes that there is no record support that a plea agreement existed. As I view the record, there is no question that Elmore and/or his attorney, engaged in plea negotiations from which Elmore had a reasonable expectation of leniency in exchange for his testimony against this defendant, and that these facts should have been disclosed to the jury. The post-testimony letter from Elmore's counsel to the prosecutor confirms this with its language that Elmore "complied with the agreement." To read the letter as indicating only the attorney's "hope" is, in my view, mere sophistry and is simply not persuasive.

All of that being said, I agree that defendant's conviction did not result in a miscarriage of justice for the reasons set out in the majority opinion, and I agree with the affirmance of his convictions.

/s/ Janet T. Neff